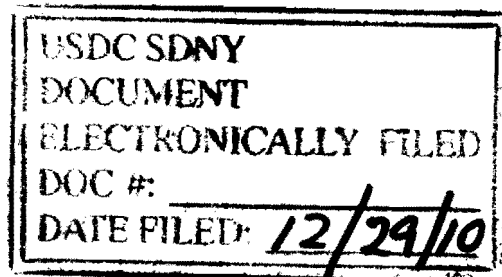


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



----- x  
IN RE STATE STREET BANK & TRUST  
CO. FIXED INCOME FUNDS INVESTMENT  
LITIGATION

MDL No. 1945 (RJH)

----- x  
APOGEE ENTERPRISES, INC.,

Plaintiff,

No. 09 Civ. 1899 (RJH)

- against -

**SCHEDULING ORDER**

STATE STREET BANK & TRUST CO., et al.

Defendants.  
----- x

RICHARD J. HOLWELL, District Judge:

The Court is in receipt of the letters of the Third-Party Defendants requesting a pre-motion conference to ask the Court's permission to file motions to dismiss newly-filed claims. No pre-motion conference will be necessary in this matter. The Court sets the following briefing schedule for the Third-Party Defendants' motions to dismiss:

1. Motions to be filed by January 24, 2011.
2. Opposition to any motions to be filed by February 24, 2011.
3. Replies to any opposition to be filed by March 7, 2011.

SO ORDERED.

Dated: December 23, 2010  
New York, New York

A handwritten signature in black ink, appearing to be "R. Holwell".

RICHARD J. HOLWELL  
UNITED STATES DISTRICT JUDGE